

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON

VICKIE L. MANHEIMER,

Plaintiff,

v.

CAROLYN W. COLVIN, Acting  
Commissioner of the Social Security  
Administration,

Defendant.

CASE NO. 2:15-cv-01355 RAJ JRC

REPORT AND RECOMMENDATION  
ON STIPULATED MOTION FOR  
REMAND

This matter has been referred to Magistrate Judge J. Richard Creatura pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Magistrates Rule MJR 4(a)(4), and as authorized by *Mathews, Secretary of H.E.W. v. Weber*, 423 U.S. 261 (1976). This matter is before the Court on defendant's stipulated motion to remand the matter to the administration for further consideration (Dkt. 26).

After reviewing defendant's stipulated motion and the relevant record, the undersigned recommends that the Court grant defendant's motion, and reverse and remand this matter to the Acting Commissioner pursuant to sentence four of 42 U.S.C. § 405(g).

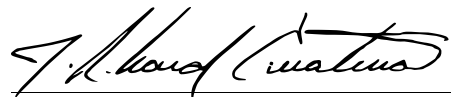
On remand, based on the parties' stipulation, this Court recommends that the Administrative Law Judge:

- 1 (1) offer plaintiff an opportunity for a new hearing;
- 2 (2) allow plaintiff to submit additional evidence and arguments;
- 3 (3) consider all evidence dated from at least April 30, 2008 (plaintiff's alleged disability
- 4 onset date), through the date last insured;
- 5 (4) reevaluate all of plaintiff's impairments, including mental and physical conditions,
- 6 determining whether they are severe, alone or in combination, and consider calling a
- 7 medical expert to review the evidence;
- 8 (5) reassess plaintiff's credibility and the lay evidence;
- 9 (6) reevaluate the medical opinion evidence;
- 10 (7) reassess plaintiff's residual functional capacity;
- 11 (8) continue the sequential evaluation process, obtaining, if necessary, supplemental
- 12 vocational expert testimony; and
- 13 (9) take any other actions necessary to develop the record.

14 This case should be reversed and remanded on the above grounds, and the parties have  
15 agreed that plaintiff is entitled to reasonable attorney fees and expenses pursuant to 28 U.S.C. §  
16 2412, and costs pursuant to 28 U.S.C. § 1920, following proper request to this Court.

17 Given the facts and the parties' stipulation, the Court recommends that the District Judge  
18 immediately approve this Report and Recommendation and order that the case be **REVERSED**  
19 and **REMANDED** pursuant to sentence four of 42 U.S.C. § 405(g).

20 Dated this 10th day of March, 2016.

21   
22 J. Richard Creatura  
23 United States Magistrate Judge  
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